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Note verbale dated 10 June 2016 from the Permanent Mission of Spain to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Spain to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) concerning the Democratic People's Republic of Korea and has the honour to submit herewith the national report of Spain on the implementation of Security Council resolution 2270 (2016) in accordance with paragraph 40 of that resolution (see annex).

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Annex to the note verbale of 10 June 2016 from the Permanent Mission of Spain to the United Nations addressed to the Chair of the Committee

Implementation report submitted by Spain to the Security Council pursuant to paragraph 40 of Security Council resolution 2270 (2016)

Introduction

1. The Permanent Mission of Spain to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, pursuant to paragraph 40 of Security Council resolution 2270 (2016), has the honour to submit herewith the report of Spain on the concrete measures taken to ensure effective implementation of the provisions of that resolution.

2. Spain wishes to take this opportunity to reiterate its firm and resolute commitment to the maintenance of international peace and security. As a non-permanent member of the Security Council, Spain strongly supported the establishment of the new package of international sanctions adopted by means of Security Council resolution 2270 (2016) and is firmly committed to implementing those sanctions.

3. In addition, and in line with European Union policies, Spain considers that the attitude shown by the North Korean regime poses a serious threat to international peace and security, and has actively supported the establishment of additional restrictive measures by the European Union.

Legal framework

4. Security Council resolutions establishing international sanctions are incorporated into the relevant European Union legal instruments, namely Common Foreign and Security Policy decisions adopted by the Council of the European Union and the relevant European Union regulations, which are directly applicable in Spain. Moreover, the Council of the European Union may decide to adopt its own additional restrictive measures to complement those agreed by the United Nations. Those additional measures are applicable only within the jurisdiction of the European Union.

5. In response to the nuclear test conducted by the Democratic People's Republic of Korea on 6 January 2016 and the subsequent launches of ballistic missiles, including those launched on 7 February, the Security Council adopted resolution 2270 (2016) imposing fresh international sanctions against the regime of that country and expanding the scope of measures previously adopted.

6. Immediately following the adoption of Security Council resolution 2270 (2016), the European Union adopted Council Decisions (CFSP) 2016/319 and (CFSP) 2016/476 of 4 and 31 March 2016, respectively, amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea and implementing the sanctions regime adopted by the United Nations. In addition, the European Union adopted Commission Implementing Regulation (EU) 2016/315 of 4 March 2016 and Council Regulation (EU) 2016/682

of 29 April 2016 to ensure proper implementation of these measures by the States members of the European Union.

7. Subsequently, on 27 May 2016, the European Union adopted Council Decision (CFSP) 2016/849 which, for the sake of clarity, lists all the measures adopted in the above-mentioned decisions and consolidates those legal texts into a single decision, and imposes additional autonomous restrictive measures adopted by the European Union. Furthermore, on the same date, the European Union adopted Council Regulation (EU) 2016/841 amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea. The provisions of that Regulation are directly applicable in Spain for private economic agents, meaning that it is not necessary to adopt national laws to implement its provisions.

8. However, Spain also has comprehensive national legislation in various areas which are closely related to some of the matters covered by Security Council resolution 2270 (2016) and are therefore relevant to the sanctions regime imposed on North Korea, such as non-proliferation, international trade in certain types of goods and efforts to combat money-laundering.

Measures adopted for the effective implementation of the provisions of Security Council resolution 2270 (2016)

(a) Measures related to the embargo on conventional weapons and weapons of mass destruction, as well as materials, goods, equipment and related technology (paragraphs 5, 6, 8 and 27)

9. With regard to the decision contained in paragraph 6 of Security Council resolution 2270 (2016) to extend the ban on the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea of nuclear-related, ballistic missile-related or other weapons of mass destruction-related items, materials, equipment, goods and technology to all arms and related materiel, including small arms and light weapons, Council Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP, adopted on 27 May 2016, is applicable.

10. In addition, Spain has its own legislation on the control of foreign trade in defence-related and dual-use materials, which subjects such transactions to strict prior controls and, where the export of such materials is not prohibited, the requirement to obtain the relevant administrative licence from the competent national authority. The applicable national legislation is Act No. 53/2007 of 28 December 2007 on the control of foreign trade in defence-related and dual-use materials and Royal Decree No. 679/2014 of 1 August 2014 approving the Regulations on the control of foreign trade in defence-related material, other material and dual-use items and technology. Currently, and pursuant to the above-mentioned legislation, there is no trade in weapons and related goods between Spain and the Democratic People's Republic of Korea.

11. The above legislation applies to the ban on the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea of nuclear-related, ballistic missile-related or other weapons of mass destruction-related items, materials, equipment, goods and technology (paragraph 27). In these specific cases, in addition to Council Decision (CFSP) 2016/849 and the provisions of Act No. 53/2007 and

Royal Decree No. 679/2014, Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items is also noteworthy. This Regulation gives member States the power to prevent the brokering of any goods or materials that could be used in connection with a weapons-of-mass-destruction programme in their destination country, or of any dual-use material with possible military use in a State subject to an arms embargo. As a European Union instrument, this Regulation is directly applicable in member States without the need for a national implementation law.

(b) Control of imports and exports (paragraphs 29, 30 and 31)

12. Pursuant to Security Council resolution 2270 (2016), the European Union adopted Council Regulation (EU) 2016/841 of 27 May 2016 amending Regulation (EC) No. 329/2007, which now provides that "It shall be prohibited to (a) import, purchase or transfer gold, titanium ore, vanadium ore and rare-earth minerals, as listed in Annex Ic, or coal, iron and iron ore, as listed in Annex Id, from North Korea, whether or not originating in North Korea; (b) import, purchase or transfer from North Korea petroleum products, as listed in Annex If, whether or not originating in North Korea; and (c) participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the prohibitions referred to in points (a) and (b)."

13. Council Decision (CFSP) 2016/849 and the above-mentioned national legislation on the control of foreign trade are also applicable.

14. Applications for licences are examined on a case-by-case basis by the competent national authority, which shall grant the required export licence only once it has been verified that the conditions established by the relevant national, international and European Union provisions have been met.

15. In the case of exports to countries considered sensitive or subject to an embargo, a strengthened and exhaustive examination is conducted before any licence is granted. Spain has an alert system in place that was established by the Customs and Excise Department, which is the department responsible for identifying both imports from and exports to countries subject to restrictive measures and stopping the customs clearance of the goods concerned. These filters were established for any goods originating in or headed to the Democratic People's Republic of Korea.

16. The export of such goods without the required licence constitutes an offence in accordance with the criminal legislation in force, in particular Organic Act No. 12/1995 of 12 December 1995 on countering smuggling.

(c) Ban on exporting certain luxury goods (annex IV)

17. The ban on selling, supplying, transferring or exporting, directly or indirectly, certain luxury goods is contained in article 4 of Council Regulation (EC) No. 329/2007 as amended by Council Regulation (EU) 2016/841. The list of specific goods covered by this ban is contained in annex III of that Regulation. Under current Spanish legislation, violating that ban constitutes a criminal offence punishable by law.

(d) Inspection of cargo (paragraph 18)

18. Security Council resolution 2270 (2016) requires all States to inspect the cargo within or transiting through their territory, including in their airports, seaports and free trade zones, that has originated in the Democratic People's Republic of Korea, or that is destined for the Democratic People's Republic of Korea, or has been brokered or facilitated by the Democratic People's Republic of Korea or its nationals, or by individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, or by designated individuals or entities, or that is being transported on Democratic People's Republic of Korea-flagged aircraft or maritime vessels, for the purposes of ensuring that no items are transferred in violation of resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016). This provision was incorporated into Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea, which is directly applicable in Spain, by virtue of its most recent amendment by means of Council Regulation (EU) 2016/841.

19. The Customs and Excise Department is responsible for inspecting vessels and aircraft in accordance with Directive 2009/16/EC. According to the relevant databases, since 1 January 2013, no vessels bearing the flag of the Democratic People's Republic of Korea have been recorded as arriving in Spanish ports.

(e) Ban on entry and travel restrictions

20. Annex I to Security Council resolution 2270 (2016) contains a list of individuals subject to a travel ban. By means of Council Decision (CFSP) 2016/849 and Council Regulation (EU) 2016/841, the European Union has incorporated that list of individuals into its own list of individuals who are banned from entering European Union territory. Together with Council Regulation (EC) No. 539/2001, that Decision and Regulation provide the basis for denying entry to European Union territory.

21. With regard to Spain's policy on foreign nationals, the applicable text is Organic Act No. 4/2000 of 11 January 2000 on the rights and freedoms of aliens in Spain and their social integration.

(f) Transport restrictions (paragraphs 19-22)

22. With regard to maritime restrictions, these measures have little impact given that there is limited maritime traffic between Spain and the Democratic People's Republic of Korea. However, the measures have been duly incorporated into Spanish legislation by means of the relevant European Union instruments.

23. Maritime Navigation is responsible for granting authorization to enter ports located on Spanish territory in accordance with article 7 of Act No. 14/2014 of 24 July 2014.

24. There is currently no direct air connection between Spain and the Democratic People's Republic of Korea and there are no plans to operate commercial flights between the two countries. However, Spain has a licensing department and any future requests relating to flights to or from the Democratic People's Republic of Korea will be subject to the relevant legislation.

(g) Financial measures and asset freezing (paragraphs 10, 12, 15, 23 and 32-38)

25. All financial measures and measures relating to the freezing of funds and assets have been incorporated into Spanish legislation by means of the above-mentioned European Union instruments, which were updated most recently on 27 May 2016. In that regard, annex V to Council Regulation (EC) No. 329/2007 incorporates the list of sanctioned individuals and entities whose funds are to be frozen.

26. In addition, Spain has specific legislation on countering money-laundering and international terrorist financing. Article 42 of Act No. 10/2010 of 28 April 2010 on preventing money-laundering and terrorist financing explicitly mentions the freezing of funds in accordance with international sanctions and is fully applicable to the Democratic People's Republic of Korea.

27. The following table shows the implementation by Spain of certain measures imposed in relation to the Democratic People's Republic of Korea in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016).

Optional checklist: measures contained in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016) relevant to Member States' national implementation reports

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
1. Prevent the direct or indirect supply, sale or transfer to DPRK of: (Fact sheet, sections I-IV, X and XII)[a]		The rules contained in this section have been implemented through European Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	National legislation in the field of international trade may also apply.	
(a) All arms and related materiel?	Yes	Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods. National export control measures are also in place.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?[b]	Yes	Articles 3 and 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods. National export control measures are also in place.	
(c) Luxury goods?[b]	Yes	Article 4 of Council Regulation 329/2007 as amended, most recently by Council Regulation 2016/841.		
(d) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
			National export control measures are also in place.	approving the Criminal Code.
(e) Prohibited items for repair, servicing, refurbishing, testing, reverse-engineering, and marketing, regardless of whether ownership or control is transferred?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods. National export control measures are also in place.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.
(f) Aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel, and kerosene-type rocket fuel, unless the Committee approves in advance on an exceptional case-by-case basis the transfer to the DPRK of such products for verified essential humanitarian needs, subject to arrangement for effective monitoring of delivery and use. These measures shall not apply with respect to the sale or supply of aviation fuel to civilian passenger aircraft outside the DPRK exclusively for consumption during its flight to the DPRK and its return flight.	Yes	Article 8 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Article 2 of Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
2. Prohibit the procurement from DPRK of: (Fact sheet, sections I to IV, XI and XII)[a]	Yes	Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.		
(a) All arms and related materiel?	Yes	Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	National import control measures are in place.	
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
			National export control measures are also in place.	approving the Criminal Code.
(c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods. National export control measures are also in place.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.
(d) Prohibited items for repair, servicing, refurbishing, testing, reverse-engineering, and marketing, regardless of whether ownership or control is transferred?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer brokering and transit of dual-use items and amendments.	National import control measures are in place.	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(e) Coal, iron, iron ore, gold, titanium ore, vanadium ore, and rare earth minerals? These measures shall not apply with respect to: (a) Coal that the procuring State confirms on the basis of credible information has originated outside the DPRK and was transported through the DPRK solely for export from the Port of Rajin (Rason), provided that the State notifies the Committee in advance, and such transactions are unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by the resolutions; (b) Coal, iron or iron ore transactions that are determined to be exclusively for livelihood purposes and unrelated to generating revenue for the DPRK's nuclear or ballistic missile programmes or other activities prohibited by the resolutions.	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, most recently amended by Council Regulation (EU) 2016/682 of 29 April 2016 and Council Regulation 2016/841 of 27 May 2016. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods. National export control measures are also in place.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.
3. Prevent the transfer to or from DPRK of financial transactions, technical training, advice, services (including brokering or other intermediary services) and assistance related to: (Fact sheet, section IV)[a]	Yes	Articles 3 and 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.		
(a) All arms and related materiel?	Yes	Articles 3 and 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, as amended. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing. Law 53/2007 of 28 December on the control of foreign trade in defence	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling;

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	Yes/no	Indicate measures (in detail)	Additional information	Remarks
			materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods.	Organic Law 10/1995 of 23 November approving the Criminal Code.
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Yes	Articles 3 and 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[d] Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Yes	Articles 3 and 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[d] Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving the regulation on the control of foreign trade in defence materials and dual-use goods.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.
(d) Engagement in the hosting of trainers, advisors or other officials for the purpose of military-, paramilitary- or police-related training?	Yes	Council Regulation (EC) No. 329/2007 of 27 March 2007 concerning restrictive measures against the Democratic People's Republic of Korea, as amended. Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items and amendments.	Law 53/2007 of 28 December on the control of foreign trade in defence materials and dual-use goods. Royal Decree 679/2014, of 1 August, approving Regulation on the control of foreign trade in defence materials and dual-use goods.	Sanction circumventions might be considered criminal offences under applicable criminal laws: Organic Law 12/1995 of 12 December on counter-smuggling; Organic Law 10/1995 of 23 November approving the Criminal Code.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
4. Prohibit the transfer of any items if a designated individual or entity[c] is the originator, intended recipient or facilitator of the item's transfer; in accordance with its national legal processes, freeze funds, other financial assets and economic resources owned or controlled by, and ensure that none are made available to benefit designated individuals or entities, entities of the Government of the DPRK or the Worker's Party of Korea, those acting on their behalf or at their direction and entities owned or controlled by them? (Fact sheet, sections III and VII)[a]	Yes	Article 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[d]	
5. Prevent entry or transit of designated individuals together with their family members, and any individual working on behalf or at the direction of a designated individual or entity or violating the sanctions or assisting in their evasion? The travel ban does not apply to designated individuals and entities when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or the Committee concludes that an exemption would further the objectives of the resolutions. States can submit requests for exemptions from the travel ban for designated individuals and entities following the instructions set out in the Committee Guidelines. Expel such an individual for the purpose of repatriation to the DPRK or to the individual's State of nationality consistent with applicable national and international law, provided that these measures shall not impede the transit of the representative of the Government of the DPRK to United Nations Headquarters or other United Nations facilities to conduct United Nations business. These measures shall not apply with respect to a particular individual if: • The presence of the individual is required for fulfilment of judicial process;	Yes	Articles 23 and 24 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Listed individuals are entered into the Schengen Information System (SIS) according to applicable international rules.	Organic Law 4/2000 of 11 January on the rights and liberties of foreign individuals in Spain and their social integration.	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	Yes/No	Indicate measures (in detail)	Additional information	Remarks
• The presence of the individual is required exclusively for medical, safety or other humanitarian purposes; or • The Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of the resolutions. (Fact sheet, sections V and VIII)?				
6. Financial measures: (Fact sheet, section IX)?		The rules contained in this section have been implemented by Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended.		
(a) Prevent the provision of financial services or the transfer of any financial or other assets or resources, including bulk cash and gold and through cash and gold couriers that could contribute to prohibited programmes or activities of the DPRK or to the evasion of sanctions, and exercise enhanced vigilance in this regard?	Yes	Articles 4a and 5a of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[4]	
(b) Prohibit DPRK banks from opening and operating new branches, subsidiaries or representative offices; establishing new joint ventures; or taking an ownership interest in or establishing or maintaining correspondent relationships with banks within a State's jurisdiction or in its territory, unless such transactions have been approved by the Committee in advance?	Yes	Article 5a of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[4]	
(c) Prohibit financial institutions from opening representative offices or subsidiaries or banking accounts in the DPRK?	Yes	Article 5a of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[4]	
(d) Prohibit States from having representative offices, subsidiaries or banking accounts in the DPRK, if the State has credible information that provides reasonable grounds to believe that such financial	Yes	Articles 5a and 7 of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	Yes/No	Indicate measures (in detail)	Additional information	Remarks
services could contribute to the prohibited programmes or activities, unless the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions in the DPRK, pursuant to the Vienna Convention on Diplomatic Relations, or the activities of the United Nations or its specialized agencies or related organizations, or for any other purposes consistent with the resolutions?			and terrorism financing.[4]	
(e) Prohibit the provision of public and private financial support from within their territories or by persons or entities subject to their jurisdiction for trade with the DPRK that could contribute to the nuclear or ballistic missile programmes of the DPRK or other activities prohibited by the resolutions?	Yes	Articles 3.1, 5a and 6 of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[4]	
7. Prevent new commitments for grants, financial assistance or concessional loans to DPRK, except for humanitarian and developmental purposes, or the promotion of denuclearization? (Fact sheet, section IX (d))[5]	Yes	Article 3.1 of Council Regulation (EC) No. 329/2007 of 27 March 2007.	Article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing.[4]	
8. Inspect in the State's territory, including in its airports, seaports and free trade zones, the cargo to or from the DPRK, or brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf, or transported on DPRK flagged vessel or aircraft?	Yes	The rules contained in this section have been implemented by Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended.		
(a) Under certain conditions and with certain exceptions, inspect vessels on the high seas and prohibit the provision of bunkering services to DPRK vessels if the State has information that provides reasonable grounds to believe their cargo contains prohibited items?	Yes	Article 16 and 19 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(b) Prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the DPRK? As called upon, deregister any vessel that is owned, operated or crewed by the DPRK and not register any such vessel that is deregistered by another Member State? This measure shall not apply with respect to such leasing, chartering or provision of crew services notified to the Committee in advance on a case-by-case basis accompanied by: (a) information demonstrating that such activities are exclusively for livelihood purposes that will not be used by DPRK individuals or entities to generate revenue, and (b) information on measures taken to prevent such activities from contributing to violations of the resolutions.	Yes	Prohibition established in Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended.	Aircraft leasing is generally regulated by the Aeronautical circular 3/2006 of 10 November, issued by the General Directorate of Civil Aviation.	
(c) Prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from registering vessels in the DPRK, obtaining authorization for a vessel to use the DPRK flag, and from owning, leasing, operating, providing any vessel classification, certification or associated service, or insuring any vessel flagged by the DPRK? This measure shall not apply to activities notified in advance to the Committee, following provision to the Committee of detailed information on the activities, including the names of individuals and entities involved in them, information demonstrating that such activities are exclusively for livelihood purposes that will not be used by DPRK individuals or entities to generate revenue and information on measures taken to prevent such activities from contributing to violations of the resolutions.	Yes	Article 22 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(d) Deny permission to any aircraft to take off from, land in or overfly the Member State's territory unless under the condition of landing for inspection, if the State has information that provides reasonable grounds to believe that the aircraft contains prohibited items, except in the case of an emergency landing?	Yes	Prohibition established in Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended.	Flights operated by foreign companies must be previously approved in accordance with following internal legislation: – Royal Decree 1392/2007 of 29 October establishing the requirements for the accreditation of foreign air companies; – Commission Regulation (EU) 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) 216/2008.	Additionally, there are some administrative procedures to deny an aircraft to take off from, land in or overfly. Flights by third country operators have to be authorized under: – Regulation (EC) No. 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community; – Commission Regulation (EU) 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) 216/2008.

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(e) Prohibit the entry into their ports of any vessel if the State has information that provides reasonable grounds to believe the vessel is owned or controlled, directly or indirectly, by a designated individual or entity, or contains cargo the supply, sale, transfer or export of which is prohibited by the resolutions, unless entry is required in case of emergency or in the case of return to its port of origin, or for inspection, or unless the Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of resolution 2270 (2016)?	Yes	Article 18 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP. Article 3a of Council Regulation (EC) No. 329/2007 of 27 March 2007, as amended.		
9. Under certain conditions, seize and dispose of prohibited items found during an inspection? (Fact sheet, section XIV)[a]	Yes	Article 16 and 19 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP.		
10. Prevent the specialized teaching or training of DPRK nationals within their territories or by their nationals of disciplines that could contribute to the prohibited programmes or activities of the DPRK? (Fact sheet, section VI)[a]	Yes	Articles 16, 19 and 30 of Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP.		

Abbreviations: DPRK, the Democratic People's Republic of Korea; WMD, weapons of mass destruction.

[a] Available from https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/fact_sheet_updated_24_may_2016.pdf.

[b] The lists of prohibited nuclear-, ballistic missile- and other WMD-related items, materials, equipment, goods and technology, as well as luxury goods, are available on the website of the Committee (https://www.un.org/sc/suborg/en/sanctions/1718/materials).

[c] The consolidated list of entities and individuals subject to assets freeze and/or travel ban is available on the website of the Committee (https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/1718.pdf).

[d] Regarding international financial sanctions and countermeasures, article 42 of Law 10/2010 of 28 April on the prevention of money-laundering and terrorism financing provides that the application of financial sanctions established by the Security Council in its resolutions with respect to the prevention and suppression of terrorism and the financing of terrorism, and to the prevention, suppression and disruption of the proliferation of weapons of mass destruction and its financing, shall be compulsory for any natural or legal person under the terms of European regulations or through a resolution adopted by the Council of Ministers, on the proposal of the Minister for Economy and Competitiveness.